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July 7, 2008

**BY FACSIMILE**

Magistrate Judge Andrew J. Peck  
Southern District of New York  
500 Pearl Street  
New York, NY 10007  
(212) 805-7933

Re: Teachers4Action et al., v. Bloomberg, et al.,  
08 Civ. 0548 (VM) (AJP)

Dear Magistrate Judge Peck,

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for City defendants in the above captioned action. I write in response to the Court's July 2, 2008 Order. City defendants consent to having your Honor hear the motions to dismiss.

City defendants also respectfully request permission to file a memorandum of law in support of their motion to dismiss that that is no more than thirty five pages.

Thank you for your consideration in this matter.

**MEMO ENDORSED**

1. 35 pages being prepared
2. The Court has set to hear from 11:50 AM - 1:00 PM on 7/8/08 for the motion - the City will respond AM.

**BY FAX**

Respectfully,

Blanche Greenfield  
Assistant Corporation Counsel

SO ORDERED:

Hon. Andrew Jay Peck  
United States Magistrate Judge

NYC LAW DEPARTMENT  
Fax: 212-341-3934

Jul 7 2008 11:45 P.02

cc: Edward Fagan by e-mail  
Charles Moerdler, by facsimile

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
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**Dated:** July 7, 2008

**Total Number of Pages:** 3

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## **TRANSCRIPTION:**

### **MEMO ENDORSED 7/7/08**

1. 35 page brief approved.
2. The Court has yet to hear from plaintiffs' counsel re § 636(c) for the motions – Mr. Fagan is to respond ASAP.

**Copy to:** Judge Victor Marrero